

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	4:10CR3092
	)	
v.	)	
	)	
DAVID W. SEEVERS, MARCELLA M.	)	MEMORANDUM AND ORDER
SCHARTON,	)	
	)	
Defendants.	)	

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IT IS ORDERED:

- 1) Defendant David Seevers' motion for new counsel, (filing no. 29), is granted effective upon an entry of appearance by new retained counsel on defendant Seevers' behalf.
- 2) As to both defendants, trial of this case is continued, and is now set to commence before the Honorable Richard G. Kopf at 9:00 a.m. on April 11, 2011, or as soon thereafter as the case may be called, for a duration of four (4) trial days, in Courtroom 1, United States Courthouse, Lincoln, Nebraska. Jury selection will be held at commencement of trial.
- 3) Due to defendant Seevers' change of counsel, the Court further finds the ends of justice will be served by continuing the trial; and the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the time between today's date and April 11, 2011 shall be excluded for speedy trial calculation purposes. 18 U.S.C. § 3161(h)(7)(A).

DATED this 15th day of February, 2011.

BY THE COURT:

s/ Cheryl R. Zwart  
United States Magistrate Judge